

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:19CR01053 JAR/SPM
)	
NICHOLAS STOPPELMANN,)	
)	
Defendant.)	

MOTION FOR PRETRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its Attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Colleen C. Lang, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq.

Further, the Government asserts:

- 1. Under Title 18 U.S.C. Section 3142(g) lists the factors for the Judge to consider when considering pre-trial detention. These factors include the defendant's mental condition and the nature and circumstances of the charges:**

Under Title 18 U.S.C. Section 3142(g), "the judicial officer shall, in determining whether there are conditions of release that will reasonably assure the appearance of the person as required and the safety of any other person and the community, take into account the available information concerning—

- (1) the nature and circumstances of the offense charged . . .
- (3) the history and characteristics of the person, including--
- (A) the person's character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at

court proceedings . . .”

2. It has come to the attention of the Government that the defendant made statements to the United States Marshals today that he is suicidal. The government fears the defendant is a danger to his own safety and should not be released until it can be determined that he will not attempt to cause himself harm.
3. As far as the nature and circumstances of the offense, the defendant was caught online by an agent with Homeland Security Investigations. The defendant was distributing videos of child pornography to another male via live social media meeting application. The videos of child pornography that he distributed were very graphic in nature and depicted an adult male’s penis penetrating an infant. The defendant and the other male make comments about the video and use controlled substances while the video of child pornography is playing. Further, after a search warrant was executed upon his home, the defendant was found to be in possession of over 1500 images and 245 videos of child pornography. Some of the videos in the defendant’s possession depict infants being raped.
4. Further, the defendant is charged with an offense involving a minor victim, specifically Title 18 USC Section 2252A(a)(1)-(4) (transportation, receipt, distribution, reproduction, advertisement, sale, or possession with intent to distribute child pornography), and that carries a rebuttable presumption of detention. Accordingly, a rebuttable presumption arises pursuant to Title 18, United States Code, Section 3142(e)(3) and presumes that there are no conditions or combination of conditions which will reasonably assure the

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appearance of the defendant as required, and the safety of any other person and the community.

WHEREFORE, based on the foregoing reasons, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

JEFFREY B. JENSEN
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/s/ Colleen C. Lang
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